

Assembly Bill No. 844

Passed the Assembly September 8, 2003

Chief Clerk of the Assembly

Passed the Senate September 4, 2003

Secretary of the Senate

This bill was received by the Governor this _____ day of
_____, 2003, at _____ o'clock __M.

Private Secretary of the Governor

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CHAPTER _____

An act to add Chapter 8.7 (commencing with Section 25770) to Division 15 of the Public Resources Code, relating to tire efficiency.

LEGISLATIVE COUNSEL'S DIGEST

AB 844, Nation. Replacement Tire Efficiency Program.

Existing law, with respect to energy conservation and development, states the policy of the state, among other things, to fully evaluate the economic and environmental costs of petroleum use and to establish a state transportation energy policy that results in the least environmental and economic cost to the state.

This bill would require the State Energy Resources Conservation and Development Commission, in consultation with the California Integrated Waste Management Board, to adopt, on or before July 1, 2007, and implement, no later than July 1, 2008, a replacement tire efficiency program of statewide applicability for replacement tires for passenger cars and light-duty trucks, that is designed to ensure that replacement tires sold in the state are at least as energy efficient, on average, as the tires sold in the state as original equipment on these vehicles. The bill would define "replacement tire." The bill would require the commission, in consultation with the board, to review and revise the program as necessary, but not less than once every 3 years.

The people of the State of California do enact as follows:

SECTION 1. (a) The Legislature finds and declares all of the following:

(1) Substantial evidence indicates that replacement tires for passenger cars and light trucks are less energy efficient, on average, than tires installed as original equipment.

(2) Improving the energy efficiency of replacement tires for California's passenger and light truck fleet could yield significant economic and environmental benefits without affecting vehicle performance or safety, while also reducing California's vulnerability to oil price increases.



(3) There are strong indications that technologies are available to make replacement tires more energy efficient and longer lasting.

(4) According to a January 2003 report by the State Energy Resources Conservation and Development Commission, titled “California State Fuel Efficient Tire Report: Volume 1,” energy efficient tires have the potential to significantly reduce fuel consumption by California drivers, resulting in significant cost and fuel savings. According to the report, adequate tire pressure will also promote fuel savings, and a specified tire testing procedure developed by the Society of Automotive Engineers should be used to measure the fuel efficiency of tires.

(b) It is the intent of the Legislature to provide the statutory framework to ensure that replacement tires sold in California are at least as energy efficient, on average, as original-equipment tires.

(c) It is further the intent of the Legislature that the Replacement Tire Efficiency Program not increase the amount of scrap tires generated within California, nor negatively impact state efforts to manage scrap tires pursuant to the California Tire Recycling Act.

SEC. 2. Chapter 8.7 (commencing with Section 25770) is added to Division 15 of the Public Resources Code, to read:

CHAPTER 8.7. REPLACEMENT TIRE EFFICIENCY PROGRAM

25770. For the purposes of this chapter, the following terms have the following meanings:

(a) “Board” means the California Integrated Waste Management Board established pursuant to Division 30 (commencing with Section 40000).

(b) “Consumer information requirement” means point-of-sale information or signs that are conspicuously displayed, readily accessible, and written in a manner that can be easily understood by the consumer. “Consumer information requirement” does not include mandatory labeling, imprinting, or other marking, on an individual tire by the tire manufacturer or the tire retailer.

(c) “Cost effective” means the cost savings to the consumer resulting from a replacement tire subject to an energy efficiency standard that equals or exceeds the additional cost to the consumer resulting from the standard, taking into account the expected fuel cost savings over the expected life of the replacement tire.



(d) “Replacement tire” means a tire sold in the state that is designed to replace a tire sold with a new passenger car or light-duty truck. “Replacement tire” does not include any of the following tires:

(1) A tire or group of tires with the same SKU, plant, and year, for which the volume of tires produced or imported is less than 15,000 annually.

(2) A deep tread, winter-type snow tire, a space-saver tire, or a temporary use spare tire.

(3) A tire with a nominal rim diameter of 12 inches or less.

(4) A motorcycle tire.

(5) A tire manufactured specifically for use in an off-road motorized recreational vehicle.

25771. On or before July 1, 2006, the commission shall develop and adopt all of the following:

(a) A database of the energy efficiency of a representative sample of replacement tires sold in the state, based on test procedures adopted by the commission.

(b) Based on the data collected pursuant to subdivision (a), a rating system for the energy efficiency of replacement tires sold in the state, that will enable consumers to make more informed decisions when purchasing tires for their vehicles.

(c) Based on the test procedures adopted pursuant to subdivision (a) and the rating system established pursuant to subdivision (b), requirements for tire manufacturers to report to the commission the energy efficiency of replacement tires sold in the state.

25772. On or before July 1, 2007, the commission, in consultation with the board, shall, after appropriate notice and workshops, adopt and, on or before July 1, 2008, implement, a tire energy efficiency program of statewide applicability for replacement tires, designed to ensure that replacement tires sold in the state are at least as energy efficient, on average, as tires sold in the state as original equipment on new passenger cars and light-duty trucks.

25773. (a) The program described in Section 25772 shall include all of the following:

(1) The development and adoption of minimum energy efficiency standards for replacement tires, except to the extent that the commission determines that it is unable to do so in a manner



that complies with subparagraphs (A) to (E), inclusive. Energy efficiency standards adopted pursuant to this paragraph shall meet all of the following conditions:

(A) Be technically feasible and cost effective.

(B) Not adversely affect tire safety.

(C) Not adversely affect the average tire life of replacement tires.

(D) Not adversely affect state efforts to manage scrap tires pursuant to Chapter 17 (commencing with Section 42860) of Part 3 of Division 30.

(2) The development and adoption of consumer information requirements for replacement tires for which standards have been adopted pursuant to paragraph (1).

(b) The energy efficiency standards established pursuant to paragraph (1) of subdivision (a) shall be based on the results of laboratory testing and, to the extent it is available and deemed appropriate by the commission, an onroad fleet testing program developed by tire manufacturers in consultation with the commission and the board, conducted by tire manufacturers, and submitted to the commission on or before January 1, 2006.

(c) If the commission finds that tires used to equip an authorized emergency vehicle, as defined in Section 165 of the Vehicle Code, are unable to meet the standards established pursuant to paragraph (1) of subdivision (a), the commission shall authorize an operator of an authorized emergency vehicle fleet to purchase for those vehicles tires that do not meet those standards.

(d) The commission, in consultation with the board, shall review and revise the program, including any standards adopted pursuant to the program, as necessary, but not less than once every three years. The commission may not revise the program or standards in a way that reduces the average efficiency of replacement tires.



Approved _____, 2003

Governor

